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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,373	04/28/2000	Gregory Lucius Meredith	MS147248.1	3570

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EXAMINER

KISS, ERIC B

ART UNIT PAPER NUMBER

2122

DATE MAILED: 08/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/560,373

Applicant(s)

MEREDITH ET AL.

Examiner

Eric B. Kiss

Art Unit

2122

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


TUAN Q. DAM
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive.

In reagrd to the rejection of claims 1-6 under 35 U.S.C. 112, first paragraph, Applicant cites portions of the instant specification that suggest purported merits of Applicant's two-verb process algebra. Nowhere in the instant specification is it disclosed how the two verbs are actually used in arriving at the workflow processing system described. Fig. 1d, the only apparent piece of evidence of how the two-verb process algebra is used or defined, merely states a set of relational rules and does not suggest, for example, representing parallelsim by separating communicating and independent transactions. In the absense of further evidence, the Examiner concludes that one of ordinary skill in the art would not be able to realize the purported use of the two-verb process algebra based on Applicant's disclosure and arguments.

In regard to the rejection of claims 1-6 and 23 under 35 U.S.C. §101, it is reiterated that these rejections are based on claims to a non-statutory invention. Regardless of Applicant's assertion that the invention as a whole can be applied to a variety of fields, merely performing the method steps set forth in the rejected claims still produces not concrete and tangible result. The claimed steps are directed toward the manipulation of a data representation of a business process. At the end of performing the recited steps, the business process would not have been necessarily carried out or itself changed in any concrete tangible way.

In response to Applicant's arguments on page 6, in paragraph 2, the Examiner asserts that the copy flow of Template splits a work item into two separate flows by sending two identical copies of a work item to separate destination tasks. The destination tasks of Template can be completely different tasks. This allows, as stated in the previous office action, operations using the same flow to be represented as independent and different tasks.